

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARLES HENRY MADISON,

Plaintiff,

Case No. 1:12-cv-1145

v.

Honorable Paul L. Maloney

LARRY STELMA et al.,

Defendants.

ORDER

This is a civil rights action brought by a state prisoner pursuant to 42 U.S.C. § 1983.

On January 2, 2013, the Court entered an opinion and order (docket ##6, 7) dismissing one Defendant and ordering Plaintiff either to provide the Court with three copies of the complaint for service on the remaining Defendants or to file an affidavit explaining why he could not do so. The Court allowed 14 days for Plaintiff to comply with the order. Plaintiff was warned that if he failed to comply, the Court could dismiss his case for want of prosecution.

Far more than 14 days have now elapsed. Plaintiff failed to provide the requisite copies of the complaint. Because Plaintiff has wholly failed to comply with the Court's order, the case is properly dismissed without prejudice for lack of prosecution. *See In re Alea*, 286 F.3d 378, 380-81 (6th Cir. 2002); *McGore v. Wrigglesworth*, 114 F.3d 601, 604 (6th Cir. 1997). In addition, Plaintiff no longer is housed at the Kent County Correctional Facility, but he has failed to advise the Court of his new address. Plaintiff's failure to keep the Court apprised of his current address is also a proper basis for dismissal for lack of prosecution. *See* W.D. MICH. LCIVR 41.1.

Accordingly,

IT IS ORDERED that the remainder of Plaintiff's action will be dismissed for lack of prosecution. A Judgment consistent with this Order shall issue.

Dated: April 29, 2013

/s/ Paul L. Maloney

Paul L. Maloney

Chief United States District Judge